

By: Representatives Peranich,  
Jennings, Broomfield, Capps,  
Coleman (29th), Denny, Dickson,  
Flaggs, Martinson, Stevens,  
Straughter

To: Appropriations

HOUSE BILL NO. 73  
(As Passed the House)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE DEPARTMENT OF ARCHIVES AND HISTORY, FOR THE  
3 FISCAL YEAR 2006; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** The following sum, or so much thereof as may be  
6 necessary, is hereby appropriated out of any money in the State  
7 General Fund not otherwise appropriated, for the purpose of  
8 defraying the expenses of the Department of Archives and History  
9 for the fiscal year beginning July 1, 2005, and ending  
10 June 30, 2006..... \$ 7,970,606.00.

11 **SECTION 2.** The following sum, or so much thereof as may be  
12 necessary, is hereby appropriated out of any money in the special  
13 fund in the State Treasury to the credit of the Department of  
14 Archives and History which is comprised of special source funds  
15 collected by or otherwise available to the department, for the  
16 purpose of defraying the expenses of the department for the fiscal  
17 year beginning July 1, 2005, and ending June 30, 2006.....  
18 ..... \$ 3,367,434.00.

19 **SECTION 3.** Of the funds appropriated under the provisions of  
20 Sections 1 and 2, not more than the amounts set forth below shall  
21 be expended for the respective major objects or purposes of  
22 expenditure:

23 MAJOR OBJECTS OF EXPENDITURE:

24	Personal Services:	
25	Salaries, Wages and Fringe Benefits..	\$ 5,742,930.00
26	Travel and Subsistence.....	46,020.00
27	Contractual Services.....	2,876,644.00

28	Commodities.....	421,123.00
29	Capital Outlay:	
30	Other Than Equipment.....	30,000.00
31	Equipment.....	65,700.00
32	Subsidies, Loans and Grants.....	<u>2,155,623.00</u>
33	Total.....	\$ 11,338,040.00

34 FUNDING:

35	General Funds.....	\$ 7,970,606.00
36	Special Funds.....	<u>3,367,434.00</u>
37	Total.....	\$ 11,338,040.00

38 AUTHORIZED POSITIONS:

39	Permanent: Full Time.....	143
40	Part Time.....	26
41	Time-Limited: Full Time.....	2
42	Part Time.....	0

43 With the funds herein appropriated, it is the intention of  
44 the Legislature that it shall be the agency's responsibility to  
45 make certain that funds required to be appropriated for "Personal  
46 Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006  
47 funds appropriated for that purpose, unless programs or positions  
48 are added to the agency's Fiscal Year 2007 budget by the  
49 Mississippi Legislature. Based on data provided by the  
50 Legislative Budget Office, the State Personnel Board shall  
51 determine and publish the projected annual cost to fully fund all  
52 appropriated positions in compliance with the provisions of this  
53 act. It shall be the responsibility of the agency head to insure  
54 that no single personnel action increases this projected annual  
55 cost and/or the Fiscal Year 2006 appropriation for "Personal  
56 Services" when annualized, with the exception of escalated funds.  
57 If, at the time the agency takes any action to change "Personal  
58 Services," the State Personnel Board determines that the agency  
59 has taken an action which would cause the agency to exceed this  
60 projected annual cost or the Fiscal Year 2006 "Personal Services"

61 appropriated level, when annualized, then only those actions which  
62 reduce the projected annual cost and/or the appropriation  
63 requirement will be processed by the State Personnel Board until  
64 such time as the requirements of this provision are met.

65 Any transfers or escalations shall be made in accordance with  
66 the terms, conditions and procedures established by law or  
67 allowable under the terms set forth within this act. The State  
68 Personnel Board shall not escalate positions without written  
69 approval from the Department of Finance and Administration. The  
70 Department of Finance and Administration shall not provide written  
71 approval to escalate any funds for salaries and/or positions  
72 without proof of availability of new or additional funds above the  
73 appropriated level.

74 No general funds authorized to be expended herein shall be  
75 used to replace federal funds and/or other special funds which are  
76 being used for salaries authorized under the provisions of this  
77 act and which are withdrawn and no longer available.

78 The agency shall not take any action to promote or otherwise  
79 award salary increases through reallocation, reclassification,  
80 realignment, education benchmark, career ladder, or any other  
81 means to increase salaries of employees or positions unless  
82 specifically exempted by the following conditions: the award of  
83 teacher pay increases, the advancement of a trainee/cadet to the  
84 next level of a bona fide career ladder, the award of an  
85 educational benchmark for the attainment of Certified Public  
86 Accountant License or higher level professional certification as  
87 determined by the State Personnel Board, the immediate replacement  
88 of a departing employee with an individual from within state  
89 service or a new hire at a salary level equivalent to that of the  
90 departing employee, and the emergency appointment of nurses,  
91 pharmacists or other health care professionals at a salary to be  
92 determined by the State Personnel Board, unless otherwise  
93 authorized in this act.

94           **SECTION 4.** It is the intention of the Legislature that the  
95 Department of Archives and History shall maintain complete  
96 accounting and personnel records related to the expenditure of all  
97 funds appropriated under this act and that such records shall be  
98 in the same format and level of detail as maintained for Fiscal  
99 Year 2005. It is further the intention of the Legislature that  
100 the agency's budget request for Fiscal Year 2007 shall be  
101 submitted to the Joint Legislative Budget Committee in a format  
102 and level of detail comparable to the format and level of detail  
103 provided during the Fiscal Year 2006 budget request process.

104           **SECTION 5.** The Mississippi Department of Archives and  
105 History is hereby authorized to accept and expend any grant,  
106 donation or contribution from any individual, public or private  
107 organization, or government entity for purposes of defraying the  
108 operational costs of the department. Such grants, donations or  
109 contributions shall be received and expended under the rules and  
110 regulations of the Department of Finance and Administration in a  
111 manner consistent with the escalation of federal funds.

112           **SECTION 6.** It is the intent of the Legislature that the  
113 Mississippi Department of Archives and History shall charge the  
114 maximum amount allowable for services rendered, consistent with  
115 the cost of providing such services. The funds derived from these  
116 charges shall be deposited into a special fund account in the  
117 State Treasury to the credit of the Mississippi Department of  
118 Archives and History.

119           **SECTION 7.** It is the intent of the Legislature that no part  
120 of the funds herein appropriated shall be required to be used for  
121 the payment of rent for the museum and public space in the State  
122 Historical Museum, Old Capitol Restoration.

123           **SECTION 8.** In addition to all other sums herein  
124 appropriated, the following sum, or so much thereof as may be  
125 necessary, is hereby appropriated out of any funds from the Local  
126 Government Records Fund in the State Treasury to defray the cost

127 of such program for the fiscal year beginning July 1, 2005, and  
128 ending June 30, 2006..... \$ 77,791.00.

129 Of the funds appropriated in this section, not more than the  
130 amounts set forth below shall be expended for the respective major  
131 objects or purposes of expenditure:

132 MAJOR OBJECTS OF EXPENDITURE:

133 Personal Services:

134	Salaries, Wages and Fringe Benefits..	\$	69,936.00
135	Travel and Subsistence.....		900.00
136	Contractual Services.....		3,955.00
137	Commodities.....		1,300.00
138	Capital Outlay:		
139	Other Than Equipment.....		0.00
140	Equipment.....		1,700.00
141	Subsidies, Loans and Grants.....		<u>0.00</u>
142	Total.....	\$	77,791.00

143 FUNDING:

144	General Funds.....	\$	0.00
145	Special Funds.....		<u>77,791.00</u>
146	Total.....	\$	77,791.00

147 AUTHORIZED POSITIONS:

148 Permanent: Full Time..... 1

149 With the funds herein appropriated, it is the intention of  
150 the Legislature that it shall be the agency's responsibility to  
151 make certain that funds required to be appropriated for "Personal  
152 Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006  
153 funds appropriated for that purpose, unless programs or positions  
154 are added to the agency's Fiscal Year 2007 budget by the  
155 Mississippi Legislature. Based on data provided by the  
156 Legislative Budget Office, the State Personnel Board shall  
157 determine and publish the projected annual cost to fully fund all  
158 appropriated positions in compliance with the provisions of this  
159 act. It shall be the responsibility of the agency head to insure

160 that no single personnel action increases this projected annual  
161 cost and/or the Fiscal Year 2006 appropriation for "Personal  
162 Services" when annualized, with the exception of escalated funds.  
163 If, at the time the agency takes any action to change "Personal  
164 Services," the State Personnel Board determines that the agency  
165 has taken an action which would cause the agency to exceed this  
166 projected annual cost or the Fiscal Year 2006 "Personal Services"  
167 appropriated level, when annualized, then only those actions which  
168 reduce the projected annual cost and/or the appropriation  
169 requirement will be processed by the State Personnel Board until  
170 such time as the requirements of this provision are met.

171 Any transfers or escalations shall be made in accordance with  
172 the terms, conditions and procedures established by law or  
173 allowable under the terms set forth within this act. The State  
174 Personnel Board shall not escalate positions without written  
175 approval from the Department of Finance and Administration. The  
176 Department of Finance and Administration shall not provide written  
177 approval to escalate any funds for salaries and/or positions  
178 without proof of availability of new or additional funds above the  
179 appropriated level.

180 No general funds authorized to be expended herein shall be  
181 used to replace federal funds and/or other special funds which are  
182 being used for salaries authorized under the provisions of this  
183 act and which are withdrawn and no longer available.

184 The agency shall not take any action to promote or otherwise  
185 award salary increases through reallocation, reclassification,  
186 realignment, education benchmark, career ladder, or any other  
187 means to increase salaries of employees or positions unless  
188 specifically exempted by the following conditions: the award of  
189 teacher pay increases, the advancement of a trainee/cadet to the  
190 next level of a bona fide career ladder, the award of an  
191 educational benchmark for the attainment of Certified Public  
192 Accountant License or higher level professional certification as

193 determined by the State Personnel Board, the immediate replacement  
194 of a departing employee with an individual from within state  
195 service or a new hire at a salary level equivalent to that of the  
196 departing employee, and the emergency appointment of nurses,  
197 pharmacists or other health care professionals at a salary to be  
198 determined by the State Personnel Board, unless otherwise  
199 authorized in this act.

200       **SECTION 9.** Of the funds provided in Section 2, Two Million  
201 Dollars (\$2,000,000.00) is provided to the Department of Archives  
202 and History from the Mississippi Landmark Grant Fund as created in  
203 House Bill No. 1082, Regular Session of 1999, to help support the  
204 preservation of Mississippi Landmark Properties.

205       **SECTION 10.** It is the intention of the Legislature that the  
206 Department of Archives and History is hereby authorized to accept,  
207 budget and expend funds, not to exceed Five Hundred Thousand  
208 Dollars (\$500,000.00), from special funds in the State Treasury to  
209 the credit of the State Treasury fund created in Section  
210 27-19-56.69(8), Mississippi Code of 1972, for the purpose of  
211 paying the costs of repair and renovation of the New Capitol, the  
212 Old Capitol, the Governor's Mansion, and the War Memorial  
213 Building, in accordance with rules and regulations of the  
214 Department of Finance and Administration in a manner consistent  
215 with the escalation of federal funds.

216       **SECTION 11.** Of the funds provided under the provisions of  
217 this act, One Hundred Ten Thousand Dollars (\$110,000.00) is  
218 provided for the purpose of developing, maintaining and operating  
219 Beauvoir Shrine, the last home of Jefferson Davis, the only  
220 President of the Confederate States of America.

221       **SECTION 12.** It is the intention of the Legislature that the  
222 Executive Director of the Department of Archives and History may  
223 authorize increases in any major objects of expenditures in total  
224 amounts not to exceed twenty-five percent (25%) of the  
225 appropriated amount of each major object of expenditure, provided

226 that other major objects of expenditure are decreased by a  
227 corresponding dollar amount. However, no transfers shall be  
228 authorized which increase the major object of expenditure  
229 "Salaries, Wages and Fringe Benefits."

230       **SECTION 13.** Of the funds provided herein, the sum of One  
231 Hundred Thirty-two Thousand One Hundred Thirty-four Dollars  
232 (\$132,134.00) is hereby assessed on any nonfederal special funds  
233 and shall be deposited to the Budget Contingency Fund created in  
234 Section 27-103-301, Mississippi Code of 1972, on or before October  
235 1, 2005, for the purpose of reimbursing the State of Mississippi  
236 for administrative costs.

237       **SECTION 14.** The money herein appropriated shall be paid by  
238 the State Treasurer out of any money in the State Treasury to the  
239 credit of the proper fund or funds as set forth in this act, upon  
240 warrants issued by the State Fiscal Officer; and the State Fiscal  
241 Officer shall issue his warrants upon requisitions signed by the  
242 proper person, officer or officers, in the manner provided by law.

243       **SECTION 15.** This act shall take effect and be in force from  
244 and after July 1, 2005.